

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.


2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1-11-07

  
Signature

JERRY F. HARRIS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

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Date: 1-10-07



Royal J. Harris  
Signature  
ROYAL J. HARRIS  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of \_\_\_\_\_  
(Title)

\_\_\_\_\_  
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Exhibit 61

P.S. I would like to be kept informed.

**AFFIDAVIT - DEATH OF JOINT TENANT**

Fair M. Herman, of legal age, being first duly sworn, deposes and says:

That David Lee Herman, the decedent mentioned in the attached certified copy of Certificate of Death, is the same person as David L. Herman named as one of the parties in that certain Grant, Gargain and Sale Deed dated 8/20/1996 executed by Fair M. Herman to Fair M. Herman and David L. Herman, wife and husband as joint tenants as joint tenants, recorded as instrument No. 196579, on 8/22/1996 Book N/A, Page ASK VALUE DOES NOT EXIST, of Official Records of Lyon County, Nevada, covering the following described property situated in the County of Lyon, State of Nevada:

" See Exhibit A"

Affidavit – Death of Joint Tenant – Page 2

Dated January 9 2007

Fair M. Herman  
Fair M. Herman  
Surviving Joint Tenant

STATE OF NEVADA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

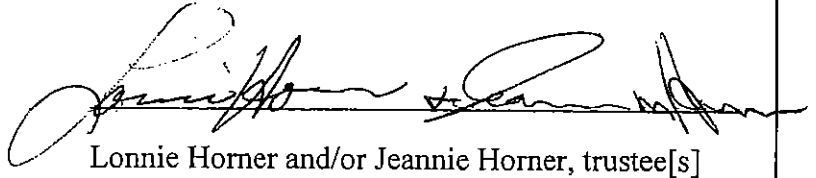
1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:  
Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of  
Summons, I am mailing a copy of this document to:  
Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160
4. I (or the entity on whose behalf I am acting) will retain all defenses or objections  
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect  
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:

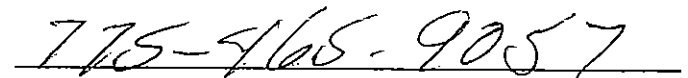


Lonnie Horner and/or Jeannie Horner, trustee[s]

Horner Personal Residence Irrevocable Trust Agreement

2873 Highway 208

Wellington, NV 89444



(Telephone number)

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Date:

February 11, 2007

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of \_\_\_\_\_ (Title)

\_\_\_\_\_  
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Date: 2-11-07

Thomas E. Hustace

Signature

Thomas E. Hustace

Printed/Typed Name

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\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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Last Updated 8/07/06 By KLSMITH

Ownership.....(F6=All Owners...F7=Documents),..

Legal Owner.....HUTCHISON, JAMES C ET AL TRS Force Assmt Notice..

Assessed Owner.....HUTCHISON, JAMES C ET AL TRS Force Ag Message...

Mail Address.....C/O FIDUCIARY SERVICES OF NV Force Label.....-

P O BOX 664 Force Card/Aff (C/A)..-

City, State.....CARSON CITY, NV Zip... 89702-0000

Vesting Doc #, Date. 269743 12/17/2001 Yr,Bk,Pg 00 000 000 Corr Rq'd -

Map Document #s.....-

Description.....(F11=Additional Locations),..

# Dir Street or Other Description Unit #(s)

Property Location... 20 FOX LN 8-13-26 W2 E2 SE4 SE4

Subdivision..... Block... Lot...

Town..... MASON VALLEY Parcel Map ID..

Property Name..... Confidential..-

Remarks.....

Parcel # Containing Descriptive/Document Data....

Size.....

Total Acres... 10.400 Square Feet.... 0

Ag Acres..... .000 W/R Acres..... .000

F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data

F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years

F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts



Parcel Number 317 001 21  
Last Updated 2/13/07 By QUISENBERRY

Ownership..... (F6=All Owners... F7=Documents)...

Legal Owner..... HALL, HERBERT J & RACHELE M Force Ass't Notice.....

Assessed Owner..... HALL, HERBERT J & RACHELE M Force Ag Message... -

Mail Address..... 617 E BRIDGE ST Force Label..... -

City, State..... YERINGTON, NV Force Card/Aff (C/A).. C

Vesting Doc #, Date. 399885 2/01/2007 Yr, Bk, Pg 07 000 000 Corr Rq'd -

Map Document #s..... - - - - -

Description..... (F11=Additional Locations)...

# Dir Street or Other Description Unit #(s)

Property Location... 20 FOX LN 8-13-26 W2 E2 SE4 SE4

Subdivision..... Block... Lot...

Town..... MASON VALLEY Parcel Map ID..

Property Name..... Confidential.. -

Remarks.....

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Total Acres... 10.400 Square Feet... 0

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Date: 1/8/07

Signature

Printed/Typed Name

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(Title)

\_\_\_\_\_  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of  
Summons. I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

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me in these proceedings. I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

Attorney:

*Place at this time*  
*Reserve the right to include an*  
*attorney at a later date*

Address:

Phone Number:

Fax Number:

*Janet L. Ingle*  
(Signature)

*Janet L. Ingle*  
(Printed or typed Name)

(Entity, if any, on whose  
behalf you are appearing)

*1161 Hwy. 339*  
*Hampton, Va.*  
(Address) *89447*

*775-463-2893*  
(Telephone number)

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Date: 01-08-07



Signature

CHARLES R. JOHNSON

Printed/Typed Name

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FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

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Plaintiff-Intervenor,

vs.

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a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

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telephone number, and facsimile number:



1 Attorney:

2  
3 Address:

4  
5  
6 Phone Number:

7 Fax Number:

8 

9 (Signature)

10  
11 CHARLES R. JOHNSON  
12 (Printed or typed Name)

13  
14  
15 (Entity, if any, on whose  
16 behalf you are appearing)

17 193 HWY 95A N.  
18 VERINGTON, NH 03447  
19 (Address)

20 775-463-7900

21 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.


2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11/14/07

  
Signature

Larry P. Johnson  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of a Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

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Date: 01-08-07

Lois F. Johnson  
Signature  
LOIS F. JOHNSON  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:  
Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:  
Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160
4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:

Lois Johnson  
(Signature)

Lois F. JOHNSON  
(Printed or typed Name)

\_\_\_\_\_  
(Entity, if any, on whose  
behalf you are appearing)

193 HWY 95A N  
YERINGTON, NV. 89441  
(Address)

775-468-7900  
(Telephone number)

Parcel Number 009-131-02 LY Prior Parc # 009-131-13 Changed 12/04/96  
Last Updated 8/18/05 By DONNA Created by split; Primary # 009-131-01  
Ownership..... (F6=All Owners... F7=Documents)  
Legal Owner..... JOHNSON, LARRY P & STEPHONIE J Force Ag Message...  
Assessed Owner..... JOHNSON, LARRY P & STEPHONIE J Force Label.....  
Mail Address..... 46 LODGEPOLE RD Force Card/Aff (C/A)...  
City, State..... WELLINGTON, NV Zip... 89444-0000  
Vesting Doc #, Date. 348381 4/18/2005 Yr, Bk, Pg 00 000 000 Corr Rq'd  
Map Document #s..... RS118036 PM169778 SM188867 SM199979  
Description..... (F11=Additional Locations)  
# Dir Street or Other Description Unit #(s)  
Property Location... 46 LODGEPOLE RD  
Subdivision..... LODGEPOLE RANCH EST #2 Block... Lot... 15  
Town..... SMITH VALLEY Parcel Map ID..  
Property Name..... Confidential..  
Remarks.....  
Parcel # Containing Descriptive/Document Data.... 009-131-01  
Size  
Total Acres... 4.590 Square Feet.... 0  
Ag Acres..... .000 W/R Acres..... .000  
F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data  
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts



Parcel Number 009-131-02 Owner JOHNSON, LARRY P & STEPHONIE J LY  
Location 46 LODGEPOLE RD Town SMITH VALLEY

Improvements

Case 3:73-cv-00187-RCJ-WGC Document 4 Filed 06/21/07 Page 21 of 59

Sngl-Fam Attached.....	0	Non-Bldg Misc.....	0	Sq Ft Garage.....	0	Att/Det A
Sngl-Fam Attached.....	0	MH Hookups....	0	# Bdrms..	3	#Baths.. 2.00
Multi-Fam Units....	0	Wells.....	1	# of Stories.....		1.0
Mobile Homes.....	0	Septic Tanks.....	1	Sq Ft Basement.....		0
Lot Dwell Units:	1	SqFt Bldgs	1,680	Sq Ft Fin Basement.....		0

Use/Appraisal Data

Current Land Use Code..	200 (To change, go to Tax Year Data screen)				
Zoning Code(s).....	RR3				
Special Ownership.....	Special Prop.....	Class.....	3.00		
Re-appraisal Group.....	02	Factoring Group...	00	Developer Discount.	
Re-appraisal Year.....	2005	Orig Constr Year..	2002	Weighted Year.....	0

User-defined Fields: 1st Set.....(F11=Show 2nd set of fields)..

Mobile Home Sq Ft.....		Smaller Residence Sq Ft.	
Other Building Sq Ft....	SHOP 1,235	Attached Garage Sq Ft...	552
Commercial Sq Ft.....		Detached Garage Sq Ft...	400

F9=Scan >/< > F10=Other Functions F12=Cancel F13=Ownership/Description  
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

1			
2			
3			
4			
5	UNITED STATES OF AMERICA,	)	
6		)	
7	Plaintiff,	)	In Equity No. C-125-ECR
8		)	Subfile No. C-125-B
9	WALKER RIVER PAIUTE TRIBE,	)	
10		)	DISCLAIMER OF INTEREST IN
11	Plaintiff-Intervenor,	)	WATER RIGHTS AND NOTICE OF
12		)	RELATED INFORMATION AND
13	v.	)	DOCUMENTATION SUPPORTING
14		)	DISCLAIMER
15	WALKER RIVER IRRIGATION	)	
16	DISTRICT,	)	
17	a corporation, et al.,	)	
18		)	
19	Defendants.	)	

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s):

8  
9 Street or P.O. Box:

10  
11 Town or City:

12  
13 State:

14  
15 Zip Code:

16  
17 2. The name and address of each person or entity who acquired ownership

18  
19 Name(s):

20  
21 Street or P.O. Box:

22  
23 Town or City:

24  
25 State:

26  
27 Zip Code:

1  
2  
3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

- 5  
6 ☐ Deed  
7 ☐ Court Order  
8 ☐ Other Document.  
9

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.

16 Executed this 21st day of Jan 2007.

17  
18 I was told when I bought 46 Lodgepole Rd  
19 Wellington NV that I did not have any water  
20 rights. Please take me out of this lawsuit.

21 Stephanie Johnson  
22 [signature of counter-defendant]

23  
24  
25 Stephanie J Johnson  
26 [name of counter-defendant]  
27  
28

1

2

3

4

[name, if applicable, of person acting on  
behalf of counter-defendant]

5

6

7

8

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

9

10

11

12

13

14

15

16

[address]

17

18

19

[telephone number]

20

21

22

23

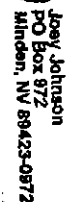
24

25

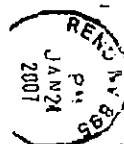
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LINDA LEA SHARER CHIEF DEPUTY CLERK  
U S DISTRICT COURT FOR THE DIST OF  
NEVADA  
400 S VIRGINIA ST STE 301  
RENO NV 895501



65501+2155-7b CO91

[illegible]



WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 6/15/07

Cynthia B. Knight  
Signature

Cynthia B. Knight  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of \_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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Date: 1/15/07

Martin E. Knight

Signature

MARTIN E. KNIGHT

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of \_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

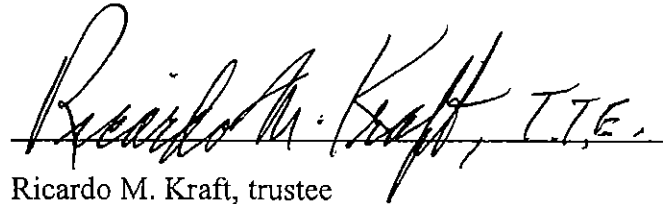
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:

  
Ricardo M. Kraft, trustee

Ricardo M.Kraft Trust

91 Sharon Drive

Wellington, NV 89444

775-465-2078

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
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IN EQUITY NO. C-125

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telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:

Catherine R. Laguer

(Signature)

Catherine R. Laguer

(Printed or typed Name)

\_\_\_\_\_  
(Entity, if any, on whose  
behalf you are appearing)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone number)



Location 23 BLUESTONE AVE Town MASON VALLEY

Improvements

Case 3:73-cv-00177-RCJ-WGC Document 4 Filed 08/21/07 Page 33 of 59

Sngl-Fam Detached	1	Non Dwell Units	0	Sq Ft Garage	0	Att/Dep	0
Sngl-Fam Attached	0	HH Hookups	0	# Bdrms	3	#Baths	2.00
Multi-Fam Units	0	Wells	0	# of Stories	1		1.0
Mobile Homes	0	Septic Tanks	1	Sq Ft Basement	0		0
Lot Dwell Units:	1	SqFt Bldgs	1,400	Sq Ft Fin Basement	0		0

Use/Appraisal Data

Current Land Use Code	200	(To change, go to Tax Year Data screen)	
Zoning Code(s)	E2T		
Special Ownership		Special Prop	Class
Re-appraisal Group	03	Factoring Group	00
Re-appraisal Year	2006	Orig Constr Year	1966
		Weighted Year	1968

User-defined Fields: 1st Set (F11>Show 2nd set of fields)

Mobile Home Sq Ft		Smaller Residence Sq Ft	
Other Building Sq Ft		Attached Garage Sq Ft	
Commercial Sq Ft		Detached Garage Sq Ft	432

F9=Scan >/< > F10=Other Functions F12=Cancel F13=Ownership/Description  
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

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Plaintiff,

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Plaintiff-Intervenor,

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P.O. Box 756  
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections  
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect  
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

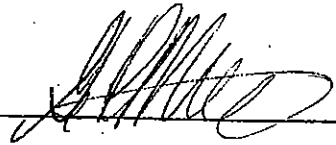
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

1 Attorney:

2  
3 Address:

4  
5  
6 Phone Number:

7 Fax Number:

8   
9 (Signature)

10  
11 GEORGE LE MAITRE  
12 (Printed or typed Name)

13  
14  
15 (Entity, if any, on whose  
16 behalf you are appearing)

17  
18 (Address)

19 (Telephone number)

LEMAITRE  
1255 HWY 208  
YERINGTON NV 89447

RENO NV 895

12 DEC 2006 PM 1 T



SUSAN L. SCHNEIDER  
ATTORNEY FOR THE UNITED STATES OF AMERICA  
UNITED STATES DEPT. OF JUSTICE  
ENVIRONMENT & NATURAL RESOURCES DIV.  
P O Box 756  
LITTLETON COLO 80160

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 02/22/07

Lola Lerg, Trustee, Roy F. Lerg, Jr.  
Lola Lerg and/or Roy F. Lerg Jr.  
deceased

If you are acting on behalf of any entity, identify that you are  
acting as: Trustee of the

Roy F. Lerg, Jr. Family Trust

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Westlaw.

SSA DEATH RECORD

Information Current Through: 02/23/2007  
Database Last Updated: 02/25/2007  
Update Frequency: WEEKLY  
Current Date: 03/01/2007  
Source: Social Security Administration Death Index  
IDENTIFYING INFORMATION

Name: ROY F LERG  
SSN: 548-36-XXXX  
State Where SSN Issued: CALIFORNIA  
INFORMATION REGARDING DECEASED

Date of Birth: 05/22/1929  
Date of Death: 12/22/2006  
Age at Death: 77  
Verification of Death: (V) Report verified with a family member of someone acting on behalf of the family.  
Last Residence: SMITH, NV 89430  
Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387)  
to order copies of documents related to this or other matters.  
Additional charges apply.

END OF DOCUMENT

© 2007 Thomson/West. No Claim to Orig. U.S. Govt. Works.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

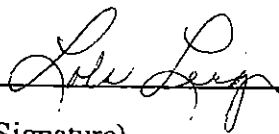
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:

  
(Signature)

Roy F. LERG Family Trust  
(Printed or typed Name)

Roy F. LERG Family Trust  
(Entity, if any, on whose  
behalf you are appearing)

P.O. Box 137  
SMITH, NV. 89430  
(Address)

775-465-1190  
(Telephone number)



WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

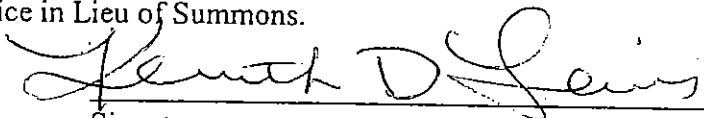
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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Date: 2-12-07



Signature

Kenneth Dale Lewis

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of (Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

**CERTIFICATION OF VITAL RECORD**  
**DEPARTMENT OF HUMAN RESOURCES**  
**DIVISION OF HEALTH**  
**VITAL STATISTICS**

**STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES**  
**DIVISION OF HEALTH — SECTION OF VITAL STATISTICS**  
**CERTIFICATE OF DEATH**

LOCAL FILE NUMBER		STATE FILE NUMBER	
DECEASED—NAME First Middle Last		DATE OF DEATH (Month, Day, Year)	
1. <b>Claude Orval LINDSEY</b>		2. <b>OCTOBER 12, 2005</b>	
CITY, TOWN OR LOCATION OF DEATH		COUNTY OF DEATH	
3b. <b>YERINGTON</b>		3a. <b>LYON</b>	
HOSPITAL OR OTHER INSTITUTION—Name (If not either, give street and number)		If Hosp. or Inst. indicate DOA, DP/Emer. Rm. Inpatient (Specify)	
3c. <b>AT HOME; 85 LUZIER LANE</b>		3d. <b>MALE</b>	
RACE—(a.p., White, Black, American Indian, etc.) (Specify)		AGE—Last Birthday (Years)	
5. <b>WHITE</b>		7a. <b>73</b>	
Was Decedent of Hispanic Origin? Specify <input type="checkbox"/> yes <input checked="" type="checkbox"/> no If yes, specify Mexican, Cuban, Puerto Rican, etc.		UNDER 1 YEAR MOS : DAYS	
6. <b>NO</b>		7b. <b>—</b>	
STATE OF BIRTH (If not U.S.A., name country)		UNDER 1 DAY HOURS : MINS	
9a. <b>OKLAHOMA</b>		7c. <b>—</b>	
CITIZEN OF WHAT COUNTRY		DATE OF BIRTH (Mo., Day, Yr.)	
9b. <b>USA</b>		8. <b>APRIL 23, 1932</b>	
Decedent's Education. Specify highest grade completed.		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify)	
10. <b>7</b>		11. <b>MARRIED</b>	
SOCIAL SECURITY NUMBER		SURVIVING SPOUSE (If wife, give maiden name)	
13. <b>444-28-2441</b>		12. <b>TWYLA M. WIDNER</b>	
USUAL OCCUPATION (Give kind of work done during most of Working Life. Even if Retired)		KIND OF BUSINESS OR INDUSTRY	
14a. <b>AUTO RECYCLER</b>		14b. <b>RECYCLING</b>	
RESIDENCE—STATE		CITY, TOWN, OR LOCATION	
15a. <b>NEVADA</b>		15c. <b>YERINGTON</b>	
COUNTY		STREET AND NUMBER	
15b. <b>LYON</b>		15d. <b>85 LUZIER LANE</b>	
INSIDE CITY LIMITS (Specify Yes or No)		15e. <b>NO</b>	
FATHER—NAME First Middle Last		MOTHER—MAIDEN NAME First Middle Last	
16. <b>CLYDE LINDSEY</b>		17. <b>ANNIE LEE HAYES</b>	
INFORMANT—NAME (Type or Print)		MAILING ADDRESS (Street or R.F.D. No., City or Town, State, Zip)	
18a. <b>TWYLA LINDSEY</b>		18b. <b>85 LUZIER LANE YERINGTON, NEVADA 89447</b>	
BURIAL, CREMATION, REMOVAL, OTHER (Specify)		CEMETERY OR CREMATORY—NAME	
19a. <b>CREMATION</b>		19b. <b>SIERRA CREMATORY</b>	
LOCATION City or Town State		19c. <b>CARSON CITY NEVADA</b>	
FUNERAL DIRECTOR—SIGNATURE (Or Person Acting as Such)		FUNERAL DIRECTOR LICENSE NUMBER	
20a. <b>[Signature]</b>		20b. <b>614</b>	
NAME AND ADDRESS OF FACILITY		20c. <b>25 Hwy 208 YERINGTON, NEVADA 89447</b>	
21a. To be completed by CERTIFYING PHYSICIAN		22a. To be completed by CORONER	
On the basis of my knowledge, death occurred at the time, date and place and due to the cause(s) stated.		On the basis of examination and/or investigation, my opinion death occurred at the time, date and place and due to the cause(s) and manner(s) stated.	
(Signature and Title)		(Signature and Title)	
DATE SIGNED (Mo., Day, Yr.)		DATE SIGNED (Mo., Day, Yr.)	
21b. <b>10/14/2005</b>		22b. <b>10/14/2005</b>	
HOUR OF DEATH		HOUR OF DEATH	
21c. <b>—</b>		22c. <b>—</b>	
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)		PRONOUNCED DEAD (Mo., Day, Yr.)	
21d. <b>—</b>		22d. <b>ON 10/12/2005</b>	
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER). (Type or Print)		PRONOUNCED DEAD (Hour)	
23a. <b>Lyon County Sheriff 30 Nevin Way Yerington, Nevada 89447</b>		22e. <b>AT 1340</b>	
LICENSE NUMBER		23b. <b>—</b>	
REGISTRAR		DATE RECEIVED BY REGISTRAR (Mo., Day, Yr.)	
24a. <b>[Signature]</b>		24b. <b>10/14/2005</b>	
DEATH DUE TO COMMUNICABLE DISEASE		24c. <b>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></b>	
25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c))		Interval between onset and death	
PART I (a) <b>Leukemia</b>		Interval between onset and death	
DUE TO, OR AS A CONSEQUENCE OF:		Interval between onset and death	
(b) <b>—</b>		Interval between onset and death	
DUE TO, OR AS A CONSEQUENCE OF:		Interval between onset and death	
(c) <b>—</b>		Interval between onset and death	
PART II OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not resulting in the underlying cause given in Part I.		AUTOPSY (Specify Yes or No)	
26. <b>NO</b>		27. <b>YES</b>	
ACC., SUICIDE, HOMICIDE, UNDET., OR PENDING INVEST. (Specify)		DATE OF INJURY (Mo., Day, Yr.)	
28a. <b>—</b>		28b. <b>—</b>	
HOUR OF INJURY		28c. <b>—</b>	
28d. <b>M</b>		DESCRIBE HOW INJURY OCCURRED	
INJURY AT WORK (Specify Yes or No)		28e. <b>—</b>	
28f. <b>—</b>		PLACE OF INJURY—At home, farm, street, factory, office building, etc. (Specify)	
28g. <b>—</b>		LOCATION	
28h. <b>—</b>		STREET OR R.F.D. No.	
28i. <b>—</b>		CITY OR TOWN	
28j. <b>—</b>		STATE	

STATE REGISTRAR

No. 321686

087401

CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records.

DATE ISSUED:

OCT 19 2005

STATE REGISTRAR

This copy is not valid unless prepared on engraved border displaying date, seal and signature of Registrar.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

Exhibit 81

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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Date: 1-30-07

Neal S. Linebarger

Signature

NEAL S. LINEBARGER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Attorney:

Address:

Phone Number:

Fax Number:

Neal S. Linebarger

(Signature)

NEAL S. LINEBARGER

(Printed or typed Name)

\_\_\_\_\_  
(Entity, if any, on whose  
behalf you are appearing)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 1-30-07

Patricia A. Linebarger

Signature

PATRICIA A. LINEBARGER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of

(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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1 Attorney:

2  
3 Address:

4  
5  
6 Phone Number:

7 Fax Number:

8   
9 (Signature)

10  
11 PATRICIA A. LINEBARGER  
12 (Printed or typed Name)

13  
14  
15 (Entity, if any, on whose  
16 behalf you are appearing)

17  
18 (Address)

19 (Telephone number)  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of  
Summons. I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections  
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect  
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

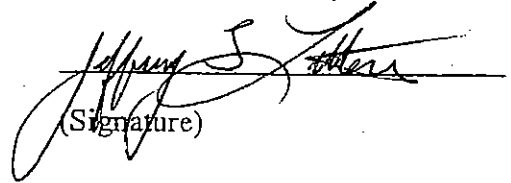
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings. I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

Attorney: NONE

Address:

Phone Number:

Fax Number:

  
(Signature)

JEFFREY S LITTERAL  
(Printed or typed Name)

N/A  
(Entity, if any, on whose  
behalf you are appearing)

PO Box 295  
Wellington, NJ 89444  
(Address)

775-465-9124  
(Telephone number)



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of  
Summons. I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections  
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect  
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

Attorney: None

Address:

Phone Number:

Fax Number:

Therese A. Litterer  
(Signature)

Therese A. Litterer  
(Printed or typed Name)

N/A  
(Entity, if any, on whose  
behalf you are appearing)

P.O. Box 295  
Wellington, NV 89444  
(Address)

775-465-9124  
(Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

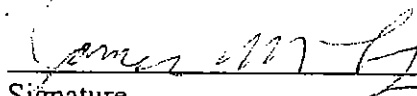
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2/12/2007

  
Signature

James M. Long

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

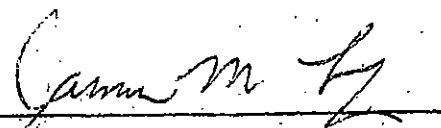
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United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160
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in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

1 Attorney:

2  
3 Address:

4  
5  
6 Phone Number:

7 Fax Number:

8   
9 (Signature)

10  
11 James M. Long  
12 (Printed or typed Name)

13  
14  
15 (Entity, if any, on whose  
16 behalf you are appearing)

17  
18 (Address)

19 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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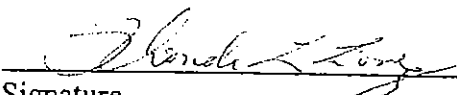
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Date: 2/12/2007

  
Signature

Rhonda L. Long

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

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Plaintiff-Intervenor,

vs.

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a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

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me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

1 Attorney:

2  
3 Address:

4  
5  
6 Phone Number:

7 Fax Number:

8 Rhonda L. Long  
9 (Signature)

10  
11 Rhonda L. Long  
12 (Printed or typed Name)

13  
14  
15 (Entity, if any, on whose  
16 behalf you are appearing)

17  
18 (Address)

19 (Telephone number)  
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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

(Printed or typed Name)

(Entity, if any, on whose  
behalf you are appearing)

(Address)

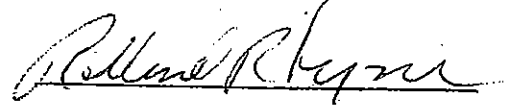
(Telephone number)

Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

(Printed or typed Name)

(Entity, if any, on whose  
behalf you are appearing)

(Address)

(Telephone number)

5400  
2575  
W. 11th St.  
Mesa, AZ

RENO NV 895

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Susan L. Schneider  
P.O. Box 756  
Guthrie, Idaho  
83200

8016040756

